

**Massachusetts Board of Registration in Embalming and Funeral Directing
Public Session Minutes
Meeting of 8/15/17**

Held at
1000 Washington Street, Boston, MA, 02118
At 10:00 a.m.
Room 1D

Board Members Present:

Patrick Driscoll
Thomas O'Donnell
Paul Phaneuf
Peter Stefan
Carolyn Lindsay

Staff Members Present:

Michael Hawley, Executive Director
Thomas Burke, Associate Executive Director
Charles Kilb, Board Counsel
Robert Williams, Investigator
Christopher Carroll, Chief Investigator

Members of the Public Present:

Kathy Curran
Dean Hickey
Curt Moraes
Joseph Machado
Joseph Roy
Michael A. Murphy
James H. Hickey
Alexander Acher
Greg Gallagher
Justin Moreau
John R. Wojcik
Lynn Hathaway-Viveiros
William S. Hathaway
Michael D. McGaffigan
Anjulia Rider
William H. Urquhari
John F. McGaffigan
Stephen B Mimkofsky

Sara Collins
Michael McCormack
Kati McCarron
Michael Randone
Francis Conway
William Harnois
Brian Abt
Joshua Fiore
Zachary Nadeau
David Brezniak
Richard Lenrin
Jerome Jozam
Jasmine Laietmark
Brian Beale
Joshua Ryan
Joe Pasternak
Christine Tazzini

Prior to open meeting

Prior to the open meeting commencement, the Board met in quasi-judicial session per M.G.L. c. 30A, §18 to discuss issuing final decisions and orders. The Board reported issuing decisions in the following matters:

- A. EM-16-015; and
- B. EM-14-005

Call to Order

Due to a minor delay, Mr. O'Donnell called the public meeting to order at 10:37 a.m. Board staff reviewed building evacuation procedures and noted the location of restrooms.

Review of Minutes

The Board reviewed staff prepared minutes of the meeting held on July 11th, 2017.

Mr. Driscoll moved to accept staff prepared minutes of the meeting held on July 11th, 2017. Ms. Lindsay seconded the motion. Motion passed unanimously.

Report from Executive Director Michael Hawley

Executive Director Hawley notified the Board that the 2016 Pre-Need reports are complete and accounted for as of 08/14/2017.

Report from Legal Counsel, Charles Kilb

Attorney Kilb notified the Board that the amended Pre-Need Contract, as voted, is complete and accessible on the Board website. He indicated that the Buyer's Guide will be amended and presented to the Board for review at a future meeting.

Report from Christopher Carroll, Chief Investigator

No report.

Discussion

Continuing Education Provider Applications:

The Board reviewed the following applications:

The Dodge

- The Dodge 2017 Wreaths across America Project
- Operational Overview of the Charles C. Carson Center , United States Port Mortuary
- Operational Overview of the Fisher House for Families of Our Nation's Fallen Heroes
- Operational Overview of Arlington National Cemetery
- Our Mission

ICCFA

- 2017 Fall Management Conference

Selected Independent

- Selected Independent Funeral Homes 2017 Annual Meeting

Kates Boylston

- Cremation Innovations Summit
- Twelfth Annual Funeral Service Business Plan Conference
- Seventh Annual Cremation Strategies Conference
- Cremation Innovation Summit

NFDA

- Cremation Certification Program-Cleveland, OH
- Certified Preplanning Consultant (CPC) Seminar-Boston, MA
- Webinar: Using Social Media to Grow your Funeral Home and Generate Leads
- The Future of Formaldehyde Use in Embalming
- It's Easy Green: Getting Started with the Green Funeral Practices Program

Ms. Lindsay moved to accept the continuing education courses presented except the Cremation Certification Program-Cleveland. The motion was seconded by Mr. Phaneuf. The motion passed unanimously.

With regards to the Cremation Certification Program-Cleveland, Board member Ms. Lindsay inquired if approval was appropriate as the Board regulations specify that matters outside the scope of Board issued registrations were generally not approvable. Legal Counsel noted that the Board has denied such courses in the past. Ms. Lindsay moved to deny approval of the Cremation Certification Program-Cleveland. The motion was seconded by Mr. Phaneuf. The motion passed unanimously.

Executive Session [Closed Session pursuant to M.G.L. c. 30A, §21; M.G.L. c. 4, §7 (Twenty-sixth)(l); and M.G.L. c. 66A, §§1 to 3]

At 10:45 a.m., Mr. Phaneuf moved to go into executive session [*Closed Session pursuant to M.G.L. c. 30A, §21(1) and M.G.L. c. 66*] to review exam questions from the Board's licensure examination. Ms. Lindsay seconded the motion. Motion passed by a roll call vote: Mr. Phaneuf: "Yes", Mr. Stefan: "Yes", Mr. O'Donnell: "Yes", Mr. Driscoll: "Yes" and Ms. Lindsay: "Yes". The chair estimated the Board would be in Executive Session for approximately one hour.

See Separate minutes for Executive Session actions

Investigative Session Case, Investigative Conferences, Settlement Offers: [Closed session pursuant to M.G.L. c. 112, § 65C]

At 12:06 p.m., Mr. Phaneuf moved to suspend the open meeting and enter into investigative conference to discuss disciplinary cases and settlement offers [closed session pursuant to M.G.L. c. 112, § 65C]. The motion was seconded by Ms. Lindsay. **The motion passed unanimously.**

After the closed session the open meeting resumed.

During the closed session, the Board took the following actions:

- 2016-000880-IT-ENF JH – Provided settlement guidance to the prosecutor
- 2014-000005-IT-ENF – Forwarded to Office of Prosecutions
- 2016-000015-IT-ENF – Forwarded to Office of Prosecutions
- 2016-000518-IT-ENF – Dismissed
- 2017-000270-IT-ENF – Forwarded to Office of Prosecutions
- 2017-000948-IT-ENF – Forwarded to Office of Prosecutions

At 12:50 p.m. Mr. O'Donnell announced that the Board would adjourn for lunch. He stated that the Board would return at approximately 1:15 p.m.

Lunch Break

At 1:20 p.m. the public session resumed.

Application Review:

Apprentice applicants - Review and vote on applications

The Board met with the following Apprentice applicants:

- Dean Hickey
- Anjulia Rider
- Michael McGaffigan
- Jasmine Laietmark
- Michael Randone
- Zachary Nadeau
- Kati McCarron
- Joshua Fiore

Ms. Lindsay moved to approve the above candidates for licensure. Mr. Driscoll seconded. The motion passed unanimously.

Funeral Assistants (1st time) - Review and vote on applications

The Board met with the following initial Funeral Assistant applicants:

- Joseph Machado, Jr.
- James Hickey
- Stephen Minkofsky
- Brian Abt
- John Wojcik
- William Harnois
- Michael Murphy (not originally on agenda, not reasonably anticipated prior to the meeting)

During the introductions, Mr. James Hickey inquired about regulations governing business card advertisements. The Board members referred Mr. Hickey to the regulations located at 239 CMR 3.19.

Funeral Assistants (Transition from Apprentice) - Review and vote on applications

The Board met with the following Transition Funeral Assistant applicants:

- Justin Moreau

Mr. Phaneuf moved to approve the above candidates for licensure. Ms. Lindsay seconded. The motion passed unanimously.

Type 3 – Review and vote on applications

- Lynn Hathaway-Viveiros

Mr. Phaneuf moved to approve the above candidate for licensure. Ms. Lindsay seconded. The motion passed unanimously.

Type 6 – Review and vote on applications

- Michael McCormack

Mr. Phaneuf moved to approve the above candidates for licensure. Ms. Lindsay seconded. The motion passed unanimously.

Wall Certificates

- Tighe Hamilton Regional Funeral Home Inc.
- Bartlett Funeral Home
- Sowiecki Funeral Home

- Miles Funeral Home
- Miles-Sterling Funeral Home

Ms. Lindsay moved to approve the above funeral establishments for licensure. Mr. Driscoll seconded. The motion passed unanimously.

Open session for topics not reasonably anticipated 48 hours in advance of meeting:

Board Chair, Mr. O'Donnell indicated that at the next meeting, the Board could review its continuing education and registrant class types to determine if future regulatory amendments would be appropriate.

Adjournment

At 3:26 p.m. Ms. Lindsay moved to adjourn the meeting. Mr. Phaneuf seconded the motion.
Motion passed unanimously.

List of Documents used at the meeting:

1. Agenda
2. Minutes from previous meeting(s) where applicable
3. Applications for personal registration
4. Continuing education provider applications

Respectfully submitted,



Michael Hawley
Executive Director